

SENATE No. 69

The Commonwealth of Massachusetts

PRESENTED BY:

Karen E. Spilka

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to welfare reform.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Karen E. Spilka	Second Middlesex and Norfolk
Anne M. Gobi	5th Worcester
Cynthia Stone Creem	First Middlesex and Norfolk
Susan C. Fargo	Third Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S02298 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO WELFARE REFORM.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. The fifth paragraph of section 16 of chapter 181 of the General Laws, as
2 appearing in the 2006 Official Edition, is amended by striking out the first sentence and
3 inserting in place thereof the following sentence: - When a timely request for a hearing is made
4 because of a termination or reduction of assistance or because of a determination that a recipient
5 should no longer be treated as exempt under section 2F of chapter 118, and it involves an issue
6 of fact or a judgment relating to an individual case between the agency and the appellant,
7 assistance shall be continued on the same terms during the period of the appeal.

8 SECTION 2. The first paragraph of subsection (a) of section 30 of said chapter 18, as so
9 appearing, is hereby amended by adding the following sentences: - At the expiration of a period
10 of probation or court supervision, the commissioner of probation shall provide the department
11 with information regarding the amount of any uncollected balance of an overpayment obligation
12 under a judgment or order of the court. The department may use any means provided by law to

collect the balance under a judgment, or order of a court, or to collect an overpayment obligation established by an administrative hearing decision of the department or by voluntary agreement.

SECTION 3. Chapter 118 of the General Laws is hereby amended by striking out sections 1 and 2, as so appearing, and inserting in place thereof the following 2 sections:

Section 1. For the purposes of this chapter, the following 20 terms shall have the following meanings unless the context clearly requires otherwise:

“Assistance”, cash grants, special need assistance and other benefits which are available from the program.

“Child of record”, the youngest child of a recipient on July 1, 1995 or at the time a family first applies for assistance after July 1, 1995, but a child born to a woman who was pregnant on July 1, 1995 or at the time of first applying for assistance shall be the child of record. The commissioner shall establish exemptions to allow a later-born child to be the child of record if the child was born as a result of rape, incest, sexual assault or other extraordinary circumstances, or if the child’s health or safety is at risk due to extraordinary circumstances, which shall include hunger, homelessness, or housing instability. Unless the commissioner grants an exemption, the designation of child of record shall not change even if the child no longer lives in the household or subsequent children are born to the parent.

“Commissioner”, the commissioner of transitional assistance

“Department”, the department of transitional assistance.

“Dependent child”, “dependent children”, “child” or “children”, the child of a recipient eligible to receive assistance from the program who is under the age of 18 or who is 18 and a fulltime student in a secondary school or in the equivalent level of vocational or technical training and who may reasonably be expected to complete the program before reaching age 19.

“Family”, the household unit consisting of a dependent child and a recipient determined eligible for assistance from the program.

“Parent”, the father, mother, stepfather, stepmother, stepbrother, stepsister, a blood relative, including those of half-blood, except cousins who are more distantly related than first cousins, adoptive relatives of equal propinquity to the foregoing, and spouses of any those persons, of the dependent child.

“Program”, the program of transitional aid to families with dependent children, including state-funded transitional aid to families with dependent children and any initial assessment program under section 3F.

“Recipient”, a parent or other relative receiving or otherwise eligible to receive assistance from the program who is responsible for the care of dependent children.

Section 2. (a) The department shall aid a parent in properly bringing up, in his own home, each dependent child, but no aid shall be granted under this chapter for, or on account of, a child unless that child resides in the Commonwealth. The department shall provide aid to a pregnant woman, who is otherwise eligible, upon medical verification of pregnancy.

(b) In order to encourage asset development, promote employment, and prevent homelessness, the department is authorized to establish by regulation a maximum allowable resource limit for otherwise eligible families. Notwithstanding the foregoing, the maximum allowable resource limit shall not be less than \$5,000. The fair market value of a licensed motor vehicle shall not exceed an amount determined by the commissioner in consultation with the secretary of transportation and public works, and the equity value of a licensed motor vehicle shall not exceed \$10,000 unless the commissioner determines that the higher value should be allowed to

accommodate the transportation needs of persons with disabilities or to promote economic stability.

c) The assistance provided shall be sufficient to enable a parent to bring up a child properly in his own home and shall be in an amount to be determined in accordance with budgetary standards of the department. Annually, on July 1 and subject to appropriation, the department shall increase the total budget of each eligible recipient, before taking into consideration any available income and resources, by a percentage amount equal to the percentage rise in the United States Consumer Price Index for January 1 of that year over the level of the index for January 1 of the previous year plus any additional percentage amount as is recommended annually by the department and appropriated by the general court. The department shall establish levels of assistance subject to this section and the general appropriation act but families of comparable size and financial circumstances shall be awarded the same level of assistance.

(d) Assistance shall be granted from the date on which the applicant is determined to be eligible or 30 days after the receipt of a signed and completed application form, whichever is earlier. Assistance shall be paid by cash or check and shall be paid semimonthly in advance unless the applicant prefers less frequent payments.

(e) A recipient or an applicant for transitional aid to families with dependent children benefits, whether or not exempt under section 2F, shall be eligible to have \$30 and one-half of the remaining gross earned income, after work-related expenses but before dependent care deductions, disregarded for the entire period that the recipient is eligible for assistance. On or before October 1, 2009, the department shall increase the work expense deduction referenced in the preceding sentence to at least \$250, and shall thereafter annually adjust said deduction for inflation. In determining the amount of the cash payment to a recipient living with his parents,

the department shall disregard income of the household up to 200 percent of the poverty level for a family of comparable size unless the income is earned by the recipient living with his parents. In a case involving a child born after the child of record, the parent need not assign the rights to the payment to the Commonwealth. If the after-born child is included in the filing unit, but excluded from the assistance unit by operation of subsection (f), a monthly amount of child support received on behalf of the after-born child equal to the standard increment of assistance shall not count as income to the family in determining the amount of assistance to the family, but the family shall have the option of excluding such an after-born child from the filing unit so that none of said child's child support shall count as income to the family in determining the amount of assistance to the family.

(f) The department shall not provide an increment in assistance because of the addition to a family of a child born after the child of record. A caretaker or guardian who is not eligible for assistance but is caring for a dependent child shall not be so affected by the limit on additional assistance imposed by this subsection until the caretaker or guardian gives birth to a child that makes the caretaker or guardian initially eligible for assistance

(g) Payment for funeral expenses of a parent or a dependent child in his custody 100 may be paid directly to the person furnishing the services. Payment for other services given to a parent or a dependent child in his custody may be paid directly to the person furnishing the services only when the payment is effected to meet an expense which remained unpaid at the time of the death of the parent or his commitment to an institution as a mentally ill person or in a case where the payment is necessary to discharge an obligation incurred by the department in securing the services for the parent or dependent child. Nothing in this chapter shall authorize a public official, agent or representative, in carrying out this chapter, to take charge of a child over the

objection of the child's legal guardian or of the person standing in loco parentis to that child, except pursuant to a proper court order. The department may pay a sum not exceeding \$1100 for the funeral and burial of a recipient provided that the cost of the funeral and burial does not exceed \$1500 and there are insufficient resources to otherwise pay those costs. Any resources of the recipient shall be deducted from the maximum cost of the funeral and burial allowable hereunder and the difference, subject to the limitation set forth in this paragraph, shall be paid by the department.

(h) Notwithstanding any general or special law or rule or regulation to the contrary, persons collecting public assistance from programs administered by the department and who inherit any sum of money or receive a damage award or whose net winnings or payoff from a contest or game that is not a lottery, exceed \$600 in cash or other monetary value, shall report the inheritance, winnings or damage award to the department within 10 days of collecting it. Upon a person's collection of any the value or amount in excess of \$600, the department shall reduce the assistance granted to that person by the amount in excess of \$600. If at any time the excess amount exceeds the person's monthly public assistance benefit, the assistance shall be suspended and no the public assistance shall be paid to that person until the value of the monthly assistance supplement equals the value of the excess amount. Notwithstanding the preceding two sentences and in addition to other disregards or exclusions authorized by the department and in order to encourage asset development, promote employment, and prevent homelessness, up to \$8,000 of any lump sum income shall be disregarded as income and excluded as an asset if it is expended, has been expended, or is placed in an Individual Asset Account for later expenditure for costs related to education or training, transportation to work or to other activities of daily living,

obtaining or retaining or maintaining housing, debt reduction, starting a business, health care, basic household necessities, or other responsible expenses as identified by the department.

SECTION 4. Said chapter 118 is hereby further amended by inserting after section 2B the following 6 sections:

Section 2C. (a) The department shall not provide benefits to a family headed by a parent under the age of 20 unless the parent has graduated from or is enrolled in a program for a high school diploma or a general education development certificate. For teen parent recipients, the department shall identify and train teen specialist case managers to coordinate available services and assist in determining appropriate living arrangements.

(b) In situations where no abuse, neglect or addiction is present, the department shall not provide benefits to a family headed by a recipient under the age of 20 unless the recipient resides with a parent, grandparent, uncle, aunt, adult sibling, spouse, or other family member as determined by regulations or guardian or lives in structured housing. The department may determine that a teen recipient who has achieved necessary educational and vocational goals and acquired sufficient independent living skills and parenting skills may live on his own. In situations where a pregnant or parenting teen recipient asserts that she cannot stay at home because abuse, neglect or addiction is present or because of other extraordinary circumstance which the commissioner determines should exempt the teen from this requirement, the home shall be evaluated by a professional experienced in the field of adolescent development and young parenting from the department of children and families. The professional shall not replace or be assigned in addition to a social worker who has already been working with the pregnant or parenting teen and her family for more than 1 month. The department shall establish standards and procedures to govern determinations of abuse, neglect and addiction as required by this subsection. Whenever it is

determined by the department that abuse, neglect or addiction is present or another extraordinary circumstance exists, the teen shall reside in a structured setting under section 3E in order to receive benefits from the department. If a structured setting is not available at the time the determination is made, the individual shall be exempt from the provisions requiring the teen recipient to live at home under this subsection until the time as a placement in a structured setting shall be made available.

Section 2D. (a) No aid shall be paid under the program to, or on behalf of, a child under the age of 16 whose school attendance does not meet the requirements of this section, with respect to that period during which the child does not meet these requirements, unless the recipient, parent or guardian can establish that reasonable efforts were made by the recipient to ensure that the school attendance requirements were met.

(b) Each nondisabled recipient, as defined and determined by the department, shall provide documentation to the department, not less than quarterly, that a school age child under the age of 16 receiving assistance has not missed more than 8 school days resulting in unexcused absences, during the previous quarter. Absences due to any of the following reasons shall be considered excused absences:

- (1) illness, as certified by a physician or by other proof that the department determines is adequate;
- (2) hospitalization;
- (3) disability, as defined by the department;
- (4) death of a family member;
- (5) crisis situations as defined by the commissioner; or
- (6) other circumstances recognized by the school.

(c) A nondisabled recipient who, without good cause, fails to provide the documentation required by this section within the reasonable time frame established by the department, or who provides documentation which indicates that the child has had more than 8 unexcused absences from school during the prior quarter, shall be placed on probationary status, during which time the recipient shall be required to provide monthly documentation of the child's attendance. The recipient shall remain on probationary status until the time as the number of unexcused absences during the 6 preceding school months does not exceed 10 school days.

(d) If a child under the age of 16 has more than 3 unexcused absences during any month in the probationary status, no aid shall be paid to, or on behalf of, that child until the nondisabled recipient provides documentation that the child's school attendance meets the requirements of this section.

(e) Notwithstanding section 27C of chapter 29 and without regard to any acceptance or appropriation by a city, town or regional school district and without regard to any appropriation by the general court, a school attended by a child to which this section applies shall provide the documentation required by this section upon the request of the nondisabled recipient at no cost to that recipient.

Section 2E. No recipient shall be eligible to receive the recipient's portion of assistance payable under the program without presenting a certificate of immunization for each child to the department of transitional assistance. The certificate shall state that the child has been immunized for diseases described in section 15 of chapter 76. A recipient shall have 60 days to comply with this subsection before being denied assistance for noncompliance. The department, in consultation with the office of Medicaid, shall inform each recipient about health care

195 providers available in the recipient's community who are capable of assisting with the required
196 immunizations.

197 Section 2F. (a) Recipients meeting the following eligibility criteria shall be exempt from sections
198 2G, 2H and 3 until the time as their eligibility status has been determined by the department to
199 have changed and they no longer conform to the criteria that define the following exempt
200 categories of assistance:

201 (1) a recipient who is disabled, as defined by regulations of the department, in that he has
202 a physical or mental defect, illness or impairment which substantially reduces or
203 eliminates his ability to support himself or his children but in a family with 2 parents,
204 both parents shall be disabled and, to the extent permitted by federal law, "disabled" shall
205 not include a recipient who is alcohol- or drug-dependent or whose disability is based in
206 whole or in part on a previous dependency;

207 (2) a recipient providing care for a disabled child, spouse or other immediate relative so
208 long as the need for the care is supported by medical documentation;

209 (3) a recipient in the third trimester of pregnancy;

210 (4) a recipient with a child of record under the age of 2 years or any child other than the
211 child of record who is under the age of 3 months;

212 (5) a parent or other relative who receives assistance for a child in his care but not for
213 himself, but the exemption shall only apply to a relative who has no legal obligation to
214 support the child in his care, a minor parent who is not a head-of-household or a spouse
215 of a head-of-household, an alien who is ineligible to receive assistance due to his
216 immigration status, a recipient of supplemental security income or another parent or
217 relative who is not work-eligible as defined by federal law; provided that, in the case of a

recipient of supplemental security income who engages in work activities that meet the requirements of federal law, the department shall include the families in the numerator and denominator of the work participation rate, to the extent doing so assists the state in meeting that rate.

(b) A recipient under the age of 20 attending high school full time under section 2C shall be exempt from section 2G but subject to the provisions of section 2H and 3 to the extent consistent with Section 2H(c).

Section 2G. (a) A family in which the recipient does not qualify for the exempt categories of assistance in section 2F shall receive assistance for not more than a maximum and cumulative 24 months during a continuous 60 month period, unless an extension is granted by the commissioner, according to regulations which shall be promulgated by the department. The continuous period of 60 months shall commence from the date a recipient first becomes eligible for assistance as a parent or on July 1, 1995, whichever is later.

(b) In the event a recipient's eligibility status changes to an exempt category of assistance while receiving benefits, the calculation of the maximum assistance period of 24 months within the 60-month period shall be suspended and shall not resume until the time as the recipient is no longer eligible for exempt status.

(c) The calculation of the 24-month period of eligibility for assistance shall be suspended when a recipient or a family un-enrolls from the program. The calculation of the 24-month period shall resume when the recipient or family is determined upon reapplication to be eligible for assistance. Reapplication for assistance within the continuous 60-month period shall not be considered a new case for purposes of calculating the periods of eligibility and ineligibility for assistance under this section. Determinations of a recipient's exempt category status under this

section shall be subject to fair hearings and the time during which an appeal is pending shall be calculated toward the period of maximum assistance eligibility.

(d) The commissioner shall establish a procedure by which a recipient may request an extension of benefits. The commissioner shall establish criteria to be considered in making a determination that a recipient's benefits should be extended. The criteria shall include, but not be limited to:

(1) whether the recipient has received or rejected offers of employment, has quit a job without good cause or has been fired for cause; and

(2) the degree to which the recipient has cooperated, and is cooperating, with the agency in work-related activities.

In making the determination, the commissioner shall also consider whether appropriate job opportunities actually exist locally at a given point in time for recipients. The commissioner may review and revise the determinations as he deems appropriate. Notwithstanding the foregoing, extensions shall be granted to enable recipients to complete vocational educational programs if they are making satisfactory progress toward an achievable vocational goal.

e) A recipient who, in order to remain eligible for benefits, changes eligibility status and the change in status is proven in a court of competent jurisdiction to be the result of fraud or deceit, shall not be eligible for a program of assistance provided by the Commonwealth including, but not limited to, programs of assistance administered by the department, including those programs administered jointly with the federal government or solely on the part of the Commonwealth, or administered by the office of Medicaid, the department of public health, the department of early education and care and the department of children and families , and shall be required to pay full restitution and any fine levied and shall not be eligible to receive assistance until those amounts have been paid. A recipient who participates in or assists in procuring payments from the

department by falsely depicting himself as exempt as defined herein shall be punished by a fine of not less than \$200 nor more than \$5,000 or by imprisonment for not less than 1 year nor more than 5 years and, in all cases, repayment shall be ordered for the amount of any payments procured which shall in addition to and not in lieu of any penalties imposed under this section.

Section 2H. (a) The department shall administer a program, to be known as the work program, for families who are not exempt under section 2F and have received assistance from the program for a total of 60 days during which they were not exempt under said section 2F.

(b) Absent good cause under subsection (e), recipients subject to the work program requirement shall be required to engage in work activities under subsection (c) for up to the number of hours per week required by federal law. Before referring an applicant or recipient to a work activity under this subsection, the department shall comply with the requirements of section 3 related to development of an employment development plan.

(c) The work activity requirement may be met by engaging, for up to the number of hours per week required to be countable under federal law, in any of the activities, as defined by federal law or this chapter. In addition, the department may approve other activities that would not be countable under federal law in order to assist the recipient in overcoming barriers to employment, achieving self-sufficiency, or accommodating a disability and, to the maximum extent feasible consistent with the need to meet federal work participation rates, shall allow recipients to meet their work activity requirement by participating in vocational educational training throughout their period of time limited benefits and any extension periods. Recipients under the age of 20 attending high school full time under section 2C shall be deemed to have satisfied the requirements of this section through satisfactory attendance at secondary school.

Participation in work activities shall be verified in the manner and at the frequency required by federal law.

(d) The commissioner may provide that a recipient subject to the work requirement who, without good cause and within a reasonable time after having received a referral under subsection (f) is not meeting the work requirement as specified in his employment development plan shall be required to meet with his caseworker to review the obligations and reasons for not meeting those requirements and the department shall facilitate the occurrence of the meeting by taking reasonable steps to accommodate any health, transportation and other barriers the recipient faces. If after meeting with his caseworker and after being given a reasonable period of time to comply, the recipient has not fulfilled the obligations without good cause, the department may reduce the family's assistance by the recipient's portion of the grant. If within a reasonable period of time after this reduction sanction takes effect the recipient continues to not fulfill these obligations without good cause, the recipient may be required to meet with his caseworker again. The employment development plan may be reassessed and amended as a result of these meetings. If after a reasonable period of time after the second meeting, the recipient is still not fulfilling these obligations without good cause, the recipient's case worker shall file a report with the local office manager detailing the efforts to work with the recipient to assist him in fulfilling the work requirement as specified in his employment development plan, the reasons offered by the recipient for his inability to fulfill the plan and why the case worker believes there is not good cause. After the report has been reviewed and approved by the office manager, the department may terminate all assistance. For recipients who have experienced a reduction or termination of assistance, the department shall provide full assistance when the recipient has complied with the work program for 2 consecutive weeks.

(e) The department shall determine that good cause exists when a recipient is not in compliance with the work program or the terms of an employment development plan and the noncompliance is due to lack of appropriate and available child care, lack of affordable and reliable transportation, housing search, lack of an available and appropriate community service site identified by the department, illness or disability or other reasons established by the department. For the purposes of this subsection, in determining whether an available child care slot is appropriate, the department shall take into consideration factors that the department of early education and care recommends be considered or that a reasonable and responsible parent would consider in deciding whether a child care slot is appropriate, including the time required to travel to and from the provider and the recipient's home, work or other activities. Before determining that a recipient has not complied with the work program or the terms of an employment development plan without good cause, the department shall review all good cause criteria with the recipient to determine if good cause exists.

(f) If a recipient in the work program has not obtained employment or is otherwise not participating in countable work activities for the required number of hours per week, the recipient shall be required to participate for the required hours per week in the community service program established in section 3C, or another appropriate activity, during the school hours of his child in return for the applicable payment standard otherwise payable to the family. The department shall refer the recipient to an available and appropriate community service site and the recipient may, at any time thereafter, choose to comply with the work requirement through other countable activities and the department shall inform each recipient of this option at the time the recipient is mandated to do community service. In the case of a recipient who has obtained employment or is engaged in countable work activities for less than the required hours

per week, the community service requirement shall be the difference between the required hours per week and the amount of time the recipient is employed each week.

(g) In no case shall a recipient be required to seek or accept employment as a condition of eligibility when a mental or physical disability of a dependent child requires his presence at home. No individual shall be considered ineligible for aid or assistance because of failure to comply with this chapter if the failure is due to illness or disability. A recipient shall not be compelled by the department to be trained or to be employed in domestic service, nor required to accept the employment if the employment would require work between the hours from 6 p.m. of 1 day and 6 a.m. the following day.

(h) The department of transitional assistance shall review cases and collect data relative to the children and families whose cases have been closed due to the termination of benefits pursuant to subsection (d). In conducting the review, the department may work with other departments including, but not limited to, the department of public health, the department of children and families, the department of housing and community development and the department of public utilities. The review shall include, but not be limited to, an investigation of a family's: housing status; the health, education, child care and well-being of each child; health status; employment status; changes in use of emergency food pantries or other emergency services; changes in food security status; changes in access to a working telephone; and experience with utility shutoffs. In conducting the review, the department shall contact a family whose case was closed pursuant to said subsection (d) within 2 months after the closing and again 6 months after the closing and shall conduct a home visit where the information cannot be obtained by telephone. To the extent possible, the review shall be conducted in a confidential manner. The department shall file a written report, annually, on the results of the case reviews and data collection with the joint

committee on children, families and persons with disabilities and the house and senate
committees on ways and means.

Section 2I. No aid shall be paid under the program, funded solely by the Commonwealth, to a
recipient who is not a citizen of the United States or is not a qualified alien permitted to receive
state assistance as defined in section 431 of Public 104-193.

SECTION 5. Said chapter 118 is hereby further amended by striking out section 3, as so
appearing, and inserting in place thereof the following section:

Section 3. (a) Except as hereinafter provided, the department shall determine what aid is
necessary to enable a parent to bring up a child. For this purpose, the department shall make an
immediate and careful inquiry into the resources of the family and the ability of its other
members, if any, to work or otherwise contribute to its support, the existence of relatives able to
assist the family and societies or agencies who may be interested in the family. The department
shall, in a case involving a missing parent, require the applicant or recipient to furnish, in writing
under the penalties of perjury, complete information within the knowledge of the applicant or
recipient relative to the location of the missing parent; shall take all steps necessary to locate the
missing parent which shall include, in appropriate cases, the institution of criminal proceedings,
to compel all persons bound to support the parents and the child to support them and to enforce
any other legal rights for their benefit. The department shall encourage all members of the family
who are able to work, to secure work, shall help them find work and shall secure all necessary
aid for the parent and child which can be secured from relatives or organizations. Any exemption
now or hereinafter permissible under the federal Social Security Act relative to earned income
may be allowed and determination of eligibility shall be completed within 45 days after the date
of application.

(b) The department shall follow federal regulations in its search for missing parents and in providing employment and employment training for certain recipients.

(c) Before a recipient becomes subject to the work requirement under section 2H and before the development of an employment development plan or a family well-being plan under this section, the department shall explain the earnings disregards and other work supports, such as child care, transportation subsidies and the state and federal earned income credits, to the recipient and shall provide sample calculations showing the effect of various levels of earned income, including earned income credits, on cash assistance and other benefits.

(d) Subject to appropriation, the department shall develop for each recipient who is subject to the work requirement under section 2H, an employment development plan designed to enable the recipient to attain economic self-sufficiency. The plan shall be prepared by the case manager with involvement of the recipient. The plan shall be developed after an appropriate assessment of the recipient's current employability, including barriers to employment and education, training and supportive services needs, and after development of a strategy to enable the parent to attain economic self-sufficiency. In developing the plan, the department shall consider all available programs qualifying under subsection (f) and said section 2H, whether or not department-funded, and the supportive services needed by the parent to participate, including child care and transportation. With respect to department-funded programs, the department shall determine the number of available slots, after considering the appropriations for the programs. Volunteers shall be given first priority for participation in the department-funded programs. No parent shall be allowed to enroll in a department-funded program if the number of participants already in the program meets or exceeds the number of available slots. Available department-funded program slots shall be filled on a first-come, first-served basis.

(e) The plans shall include the activities in which the recipient will participate in order to satisfy the work requirement under section 2H, any other activities in which the recipient volunteers to participate and the support services that the recipient needs in order to successfully participate in the activities. With respect to recipients not qualifying as exempt under section 2F, the employment development plan shall be used to satisfy any universal or full engagement or family self-sufficiency plan requirement imposed by federal law, including any federal requirements to assess the skills, work experience, employability and barriers to employment of each adult or teen parent recipient.

(f) All recipients may participate in the following activities subject to the availability of program slots and funding but those subject to section 2H shall fulfill the requirements of said section 2H:

- (1) the full employment program;
- (2) a recognized job training program;
- (3) a recognized educational program; or
- (4) any other employment services activity approved by the department.

(g) (1) With respect to recipients who are exempt under section 2F, the department may develop, with the involvement of the recipient and after an appropriate assessment of the recipient's skills, work experience, employability and barriers to employment, a family well-being plan to assist the members of the family in accessing services to improve the wellbeing of the family and to assist the recipient in taking steps to address barriers to employment, including lack of education or job skills, and in preparing for employment. In developing the plan, the department shall consider the supportive services needed by the recipient to participate, including child care and transportation. To the extent the family desires, the plans shall set forth how the case manager will assist the family in

performing any other activities required or recommended for members of the family by the department or other entities including, but not limited to, medical providers, schools, public housing authorities, emergency shelter or housing search providers, the courts, employers and the department of children and families. In no event shall the plan or the process of its development interfere with the family's performance of, or make it more difficult for a family to perform, the other activities. With respect to exempt recipients who receive benefits from the federally funded program, the plan shall be used to satisfy any universal or full engagement or family self-sufficiency plan requirement imposed by federal law.

(2) With respect to recipients determined exempt by reason of a recipient's disability, the department may link the recipient to another state agency with experience in serving the needs of persons with disabilities whose employees, subject to appropriation and with the involvement of the recipient, may develop a family well-being plan, provide case management and conduct reassessment. In the case of recipients determined to be exempt by reason of mental health diagnoses, outreach to the recipients and creation of plans for them may be done by human services coordinators of the department of mental health; in the case of recipients determined exempt by reason of mental retardation or low cognitive function, outreach to and creation of any the plans for them may be done by human services coordinators of the department of developmental services; and in the case of recipients determined exempt by reason of other disabilities, outreach to and creation of the plans for them may be done by qualified employees of the department of public health or the Massachusetts rehabilitation commission. In order to cover the costs of the assessments, plan development, case management and costs of services related to these

plans, the department of transitional assistance may transfer to these other agencies funds appropriated for the employment services program.

(h) Recipients who do not comply with the terms of their employment development or family wellbeing plans, without good cause, may be required to participate in a reassessment, through which the plan may be modified and recipients who are subject to but not satisfying the work requirement without good cause may lose assistance under section 2H.

(i) In developing the an employment development or family well-being plan with an individual applicant or recipient, the department or other responsible agency under subsection (g) shall identify and explain all opportunities, whether or not department-funded, for education, training, job search and other employment services and for child care, transportation and other support services and allow the individual to determine which activities or services are appropriate for him and his children and, therefore, should be included in the plan, but employment development plans for nonexempt applicants and recipients shall include activities that satisfy the work requirement under section 2H. The department or other responsible agency shall also take into account the availability or lack thereof of affordable and reliable transportation, appropriate child care and appropriate health care or other services to which the department or other responsible agency proposes to refer the applicant or recipient. The department shall ensure that any activity or service to which it or another responsible agency refers an applicant or recipient who is a person with a disability or whose family includes a person with a disability provides equal access and reasonable modifications and accommodations as necessary to comply with all applicable state and federal laws against discrimination against persons with disabilities. The department shall also ensure that any activity or service to which it refers an applicant or recipient who is a

person of limited English proficiency provides equal access and necessary bilingual services in compliance with all applicable state and federal laws.

(j) Subject to appropriation, recipients who are exempt under section 2F shall be afforded an opportunity to participate in all activities listed in subsection (f) and shall be informed by the department of those opportunities. Subject to appropriation, the department shall develop and fund programs specifically designed to meet the special needs of parents with disabilities so as to provide equal opportunities to those parents to benefit from the employment services program, whether or not they are exempt under said section 2F. Providers of those services shall be reimbursed in accordance with criteria that primarily reward educational and skills advancement, as opposed to immediate job placement, retention or advancement.

SECTION 6. Said chapter 118 is hereby further amended by inserting after section 3A the following 8 sections:

“Section 3B. The department shall make payments or shall assure that payments are made for child care services to families receiving assistance in which a parent or other relative caring for a dependent child needs child care services in order to work or to participate in any of the education, training, community service or other employment services or family well-being plan activities authorized by section 2H or 3. A former recipient, whether or not he has received assistance for the 24-month period allowed by section 2G, who is employed and who meets the financial eligibility requirements established by the department in regulations, shall be eligible to receive transitional child care for services for a period of 1 year following termination of benefits.”

Section 3C. (a) The department shall administer a community service program in which recipients subject to the work requirement under section 2H shall be offered the opportunity to

participate for some or all of the required work hours per week and in which recipients subject to the work requirement who are not participating in countable activities for the required hours per week are required to participate under said section 2H. Community service programs shall not be used to displace regular employees nor to fill unfilled positions previously established.

(b) For the purpose of this section, "community service", shall mean a program designed for recipients of public assistance under which a public entity or private nonprofit organization undertakes to provide work or training experience to applicants or recipients of public assistance who have chosen or have been required to participate without compensation in the program and to provide supervision over the work or training experience.

Section 3D. (a) The full employment program shall be established as a program in which recipients, subject to criteria and eligibility rules established by the department and in lieu of receiving benefits under the food stamp program and cash payments under the program of transitional aid to families with dependent children, shall be provided with employment in a manner which promotes self-sufficiency and which shall provide work experience to improve the recipient's competitive position in the work force.

(b)(1) An eligible individual who participates in the program shall work full time in a

program job, as available, and shall be paid not less than the applicable minimum wage.

In the event that the net monthly fulltime wage paid to a participant which, for purposes of this subsection shall be the gross wage minus mandatory payroll deductions, would be less than the level of income from transitional aid to families with dependent children and the food stamp benefit amount equivalent that the participant would otherwise receive, the department shall determine and pay a supplemental payment as necessary to provide the participant with that level of net income. The department shall, by regulation, adopt

an equivalence scale to be adjusted for household size and other factors. The purpose of the equivalence scale shall be to insure that participants are not economically disadvantaged, in terms of net income, by accepting a job under the program. The department shall determine and pay, in advance, supplemental payments to participants on a monthly basis as necessary to insure equivalent net program wages. The employer shall compensate participants for hours worked.

(2) In addition to the participant wage in paragraph (1), the employer shall pay \$1 for each participant hour worked into a qualified Individual Asset Account, hereinafter called the "IAA", as defined in regulations promulgated by the executive office of health and human services. The IAA shall be owned by the participant and access shall be restricted until such time as the participant leaves the program for a job of at least 30 hours per week for which unsubsidized compensation is paid or after 12 months in the program, whichever is sooner. The IAA shall be established to improve the position of program participants by increasing their asset base. The amount in the IAA shall not be counted as an asset for the purpose of determining financial eligibility for benefits authorized by this chapter.

(3) Upon the acceptance of a program job in compliance with the participant's employment development plan as set forth herein, transitional aid to families with dependent children and food stamp benefits shall no longer be paid as a grant to the program participant. Transitional aid to families with dependent children and food stamp benefits shall be suspended at the end of the calendar month in which an employer makes the first wage payment to a participant who is a custodial parent in a family that receives transitional aid to families with dependent children and food stamp benefits.

(4) Program participants who are eligible for federal- and state-funded medical assistance at the time they enter the program shall remain eligible for as long as they shall continue to participate in the program.

(c)(1) The department shall adopt rules and regulations to determine which employers within the Commonwealth shall have the opportunity to accept program participants. No employer shall be required to participate in the program. In the event that there are unassigned participants whom no employer has accepted, the unassigned participants shall be reassessed, with focus on the employment development plan, and may be assigned to other available programs.

(2) The maximum number of program participants that an employer shall be authorized to accept at any one time shall not exceed 10 per cent of the total number of the employer's employees, but an employer may receive 1 participant. The commissioner of the department may waive the limit in special circumstances; provided, however, that the commissioner may grant or not grant the waiver at his sole discretion and his decision shall not be subject to review.

(3) The department shall insure that jobs made available to program participants by the employers shall not:

(i) require work in excess of 40 hours per week; or

(ii) be used to displace regular employees nor to fill unfilled positions previously established.

(4) In consultation with the participant, the department shall attempt to match the profile of a participant with the needs of an employer when assigning a participant to work with the employer.

(5) The Commonwealth shall pay to employers up to the following amounts as partial reimbursement for wages paid to program participants:

- (i) for the first 9 months that the program participant is employed by the employer, 75 per cent of the participant's wage per hour;
- (ii) for the next 3 months that the program participant is employed by the employer, 50 per cent of the participant's wage per hour.

(d) Program employers shall:

- (1) pay all participants a wage rate of not less than the applicable minimum wage;
- (2) provide sick leave, holiday and vacation absences in a manner which shall conform to the individual employer's rules for new employees;
- (3) provide workers' compensation coverage for each program participant;
- (4) consider all persons participating in the program to be employees of the individual employer providing the employment who shall therefore be entitled to all benefits required by state and federal law;
- (5) endeavor to make program placements positive learning and training experiences;
- (6) maintain health, safety and working conditions at or above levels generally acceptable in the industry and not less than that of comparable jobs of the employer;
- (7) provide on-the-job training to the degree necessary for the participant to perform the duties;
- (8) provide on-the-job mentors from among regular employees to assist the participants in becoming oriented to work and to the workplace; and
- (9) sign an agreement for each placement outlining the specific job offered to the participant and agreeing to abide by all requirements of the program, including the

requirement that the program not supplant existing jobs and to repay reimbursement in the event the employer violates program rules. The department may enforce these conditions and shall establish regulations to govern the enforcement.

(e) (1) The department shall establish rules and regulations to:

- (i) develop criteria and fair procedures for excluding certain employers from participation for failure to abide by program requirements or other demonstrated unwillingness to comply with the stated intent of the program; and
- (ii) provide that employers who have shown a pattern of terminating participants prior to the completion of training or of not offering unsubsidized employment to participants who have successfully completed training with that employer shall be ineligible to receive additional participants.

(2) If the department finds that an employer has violated a rule or regulation of the program, the department:

- (i) shall withhold any wage reimbursement amounts due to the employer; and
- (ii) may seek repayment of any wage reimbursement amounts paid to the employer.

(f) (1) If, after 9 months in a placement, a participant has not been hired for an unsubsidized position, the employment development plan of the participant shall be reassessed. If, after 12 months in a placement, a participant has not been hired for an unsubsidized position, the subsidy to the employer shall be discontinued, the employment development plan of the participant shall be reassessed and the participant may be assigned to another program.

(2) Program participants who have failed to successfully carry out a program job after a minimum of 3 attempts shall be reassessed and may be assigned to mandatory placement in the community service program. Rules governing sanctions, hearings or conciliations for participants in the program shall be the same as those for the transitional aid to families with dependent children and food stamp programs.

(g) Either the employer or the participant may terminate the assignment by contacting the appropriate department office. In that event, the case worker shall reassess the needs of the participant and may assign the participant to another placement or another program component and, at the employer's request, the case worker may provide the employer with another participant. The department shall endeavor to keep the terminations to a minimum.

(h) For the purposes of determining eligibility for the 1 year transitional child care and MassHealth provided to certain former recipients of assistance who have left the program for employment, the transitional year, shall commence on the day the participant is hired into and commences nonsubsidized employment.

(i) The department shall submit to the house and senate chairs of the joint committee on children, families and persons with disabilities, the chairs of the house and senate committees on ways and means and the secretary of administration and finance an annual report outlining the number of slots available in the full employment program and how many of those slots have been filled.

Section 3E. (a) For teen recipients who require a structured setting under subsection (b) of section 2C, the department shall, subject to appropriation, establish the settings and shall, at minimum:

(1) enter into an interagency agreement with the department of children and families to develop resources for structured residential living arrangements that will meet the long term needs of teenage recipients and their children;

(2) assign a teen specialist;

(3) require teen recipients to enroll and make acceptable progress in a program for a high school diploma or a general education development certificate;

(4) require teenage recipients to participate in basic parenting classes, basic life skills classes and pregnancy prevention classes;

(5) provide necessary rules and regulations to promote stability;

(6) collaborate closely with the department of early education and care to provide appropriate and continuous education and care to the child and parenting assistance and education to the teen recipient; and

(7) provide regular counseling sessions to enhance the individual's self-esteem.

(b) Pregnant and parenting teens residing in structured residential settings may be required to pay a portion of their grant as determined by their residential program for rent.

(c) Transitional housing programs serving teenage parents 16 years of age or older shall not fall within the definition of "group care facility" as defined in section 9 of chapter 28A, or a successor law.

(d) The department of early education and care shall promulgate rules and regulations concerning the licensing of transitional housing programs serving teenage parents 16 years of age or older and residential programs serving teenage parents under 16 years of age.

Section 3F. (a) Notwithstanding any general or special law to the contrary, the department may establish a separate solely state-funded program, to avoid federal penalties by paying benefits to

certain recipients solely with state funds that are not used to meet the Commonwealth's transitional assistance to needy families maintenance of effort obligations.

(b) Notwithstanding the foregoing, to the extent that doing so aids the Commonwealth in meeting federal work participation rates and increases flexibility in allocating state and federal funds, the first 2 months of receipt of assistance from what otherwise would be transitional aid to families with dependent children shall be designated as an initial assessment program, in which benefits equal to transitional aid to families with dependent children benefits shall be paid with federal TANF block grant funds.

Section 3G. (a) The department may obtain certain data available to and provided by the department of revenue including, but not limited to, 14-day labor reporting information, and to garnish wages of persons deemed to have fraudulently obtained assistance.

(b) The department shall establish administrative penalties for a first conviction of welfare fraud or in cases in which persons are receiving benefits under more than 1 application, which shall include permanent disqualification for future benefits and repayment in an amount equal to the grant received from the date of the incidence of fraud for which the person has been convicted.

(c) The department shall establish a toll-free telephone number for the reporting of welfare fraud or violations of any regulations of the department. Information received through the program shall be referred to the bureau of special investigations.

(d) A person found guilty of committing fraud upon the department shall be ineligible to receive benefits under any assistance program provided by the department until the time as any fine has been paid and any sentence has been served that was imposed as a result of a conviction of a violation of section 5B, 5F or 15 of chapter 18.

(e) The department shall adopt regulations to provide that employees of the department who participate in or assist in fraudulently procuring payments from the department shall be terminated from their employment. That employee shall be punished by a fine of not less than \$2,000 nor more than \$5,000, or by imprisonment for not less than 1 year nor more than 5 years and, in all cases, repayment shall be ordered of the amount of the payments procured which shall be in addition to and not in lieu of any penalties imposed under this section. The state treasurer may transfer to the department any retirement contributions of the employees for the purpose of satisfying the ordered repayment and the fines levied hereunder.

(f) An agency or entity that receives state funds shall not publish or cause to be published any information intended to instruct, encourage or aid a person to commit fraud upon the Commonwealth or to circumvent regulations by spending financial windfalls from lottery winnings, inheritances or court settlements in order to ensure continued eligibility for the transitional aid to families with dependent children program or other state-funded programs. A violation of this section shall result in sanctions to an employee of the agency and the imposition of a fine to the agency of up to \$10,000. Nothing in this section shall require an attorney to act in a manner inconsistent with the code of professional responsibility.

Section 3H. Except to the extent prohibited by federal or state law, the department of youth services, the department of correction and all state and county sheriffs shall, on a monthly basis, transmit to the department of transitional assistance a current roster of all persons incarcerated in or committed to each house of correction, boot camp, prison or other correctional facility run by those departments and housing inmates who have been incarcerated since the last monthly report. The information shall be provided in a format that is compatible with the department's file layout of its automated data processing system to ensure the immediate identification of inmates who

may be receiving welfare benefits. The information provided shall include name, social security number, date of birth, date of incarceration and expected release date. The department shall examine and verify the information and shall identify any case in which a person so incarcerated or so committed, the person's family member or the dependent, is receiving benefits from the public assistance programs for which he, the family member or the dependent is not eligible and shall take appropriate action which shall include, but not be limited to, a review and re-verification by the department that the information is accurate and applicable as required by department regulations. The department shall provide that information to the Social Security Administration and the department of revenue. No information obtained under this section shall be released or utilized for any purpose other than those set forth in this section.

Section 3I (a) The department shall identify and track its expenditures and those of other state agencies, city and town governments and private entities that may be claimed as TANF maintenance of effort expenditures to satisfy the Commonwealth's obligations under 42 U.S.C. § 609. The report shall also include the number of recipients who are deemed to be in compliance with the work activity requirement by participating in an activity under section 2H, an itemized list of the number of recipients receiving aid under each of the activities and the cost to the Commonwealth of providing benefits for each of the activities. The report shall also include information on the percentage of persons receiving aid under this chapter who are in compliance with the work activity, not in compliance or exempt under either state or federal law, with percentages for each of the corresponding exempt categories. The report shall also include a plan to increase the state's work participation effort and current efforts to accomplish this goal. All state agencies shall cooperate in the identification, tracking and reporting of the expenditures;

(b) The department shall provide to the chairs of the house and senate committees on ways and means and the chairs of the joint committee on children, families and persons with disabilities a draft of the quarterly reports to the federal government on TANF and maintenance of effort spending 30 days before the filing of the report.

(c) On January 15 of each year, the department shall file a report with the chairs of the house and senate committees on ways and means and the chairs of the joint committee on children, families and persons with disabilities setting forth the work participation rate among families who are subject to the work requirement, efforts that have been made to increase that work participation rate and any barriers to improving the work participation rate among those who are work-required and efforts to assist persons with disabilities in engaging in work activities. The report shall also recommend additional employment services which will increase the Commonwealth's work participation rates among parents who are subject to the work requirement under the program of transitional aid to families with dependent children including, but not limited to, enhanced assessments of barriers to employment and strategies to address those barriers, additional transportation services including transportation assistance for all parents who are subject to the work requirement, additional education and training activities and other activities that will assist the Commonwealth in meeting work participation rates.

SECTION 7. Said chapter 118 is hereby further amended by adding the following section:

Section 12. (a) A taxpayer required to file a return under chapter 62 shall be allowed a credit against the excise due under said chapter 62 for employing persons that had been employed by the taxpayer through the full employment program. The credit shall be calculated by multiplying the number of full months after cessation of state subsidies a qualifying program participant was

employed by the taxpayer by \$100. The maximum credit allowed for all years for the employment of each qualifying program participant shall be \$1,200. A taxpayer entitled to a credit under this subsection for a taxable year may carry over and apply to its excise for any 1 or more of the next succeeding 5 taxable years, the portion, reduced from year to year, of its credit which exceeds its excise for the taxable year.

(b) The department shall report to the department of revenue and to the employer the program participant's name and social security number, the employer's name and identification number and the number of complete months of eligible employment for each participant of the program for whom an employer would be eligible to claim the credit provided in subsection (a) within 31 days after the end of each calendar year. The department of revenue shall consult with the house and senate committees on ways and means and the house and senate chairs of the joint committee on children, families and persons with disabilities to determine nonconfidential data which shall annually be published to determine the effectiveness of the credit provided by this subsection. The department of revenue shall promulgate rules and regulations necessary to implement this subsection.

(c) A taxpayer required to file a return under chapter 63 shall be allowed a credit against the excise due under said chapter 63 for employing persons that had been employed by the taxpayer through the full employment program. The credit shall be calculated by multiplying the number of full months after cessation of state subsidies a qualifying program participant was employed by the taxpayer by \$100. The maximum credit allowed for all years for the employment of each qualifying program participant shall be \$1,200. A taxpayer entitled to a credit under this section for a taxable year may carry over and apply to its excise for any 1 or more of the next succeeding

5 taxable years, the portion, reduced from year to year, of its credit which exceeds its excise for the taxable year.

(d) The department shall report to the department of revenue and to the employer the program participant's name and social security number, the employer's name and identification number and the number of complete months of eligible employment for each participant of the program for whom an employer would be eligible to claim the credit provided in subsection (c) within 31 days after the end of each calendar year. The department of revenue shall consult with the house and senate committees on ways and means and the house and senate chairs of the joint committee on children, families and persons with disabilities to determine nonconfidential data which shall annually be published to determine the effectiveness of the credit provided by this subsection. The department of revenue shall also promulgate rules and regulations to implement the provisions of this subsection.

SECTION 8. Sections 110 to 114, inclusive, 117 to 119, inclusive, 121 to 123, inclusive, 132, and 140 to 142, inclusive, of chapter 5 of the acts of 1995 are hereby repealed.

SECTION 9. Sections 35 to 36, inclusive, of chapter 39 of the acts of 1995 are hereby repealed.

SECTION 10. Section 523 of chapter 151 of the acts of 1996 is hereby repealed

SECTION 11. Sections 155 to 157, inclusive, of chapter 43 of the acts of 1997 are hereby repealed.

SECTION 12. Section 308 of chapter 159 of the acts of 2000 is hereby repealed.

SECTION 13. Sections 517 and 528 of chapter 26 of the acts of 2003 are hereby repealed.

SECTION 14. Sections 218 to 219, inclusive, of chapter 149 of the acts of 2004 are hereby repealed.

SECTION 15. The department of transitional assistance shall develop a pilot project implementing a system of family well-being plans in not less than 2 transitional assistance offices to include or be selected from among the offices in Boston New Market square, Revere, Hyannis, New Bedford, Plymouth and Springfield Liberty street. All recipients who are exempt under section 2F of chapter 118 of the General Laws who are serviced by the 2 offices selected for the pilot project shall participate in that program. In developing and administering these pilot projects, the department shall consult an advisory board to consist of representatives of at least 2 organizations representing persons with disabilities, representatives of the employees' unions of the involved agencies, representatives of Massachusetts legal services programs serving the offices covered by the pilot projects and the Massachusetts Law Reform Institute. The pilot projects shall be in place not later than April 1, 2010. The department shall file an initial written report not later than October 31, 2010 and a final written report not later than January 15, 2011 with the joint committee on children, families and persons with disabilities and the house and senate committees on ways and means describing the services offered and delivered through the pilot projects, the costs associated with the pilot projects, the success rate in engaging families in meaningful activities, the success of those services in positively impacting recipients' lives, any obstacles to the success of the pilot projects and any legislative recommendations for improving the system of family well-being plans. The reports shall include the results of responses to consumer satisfaction surveys from recipients participating in the pilot projects.

SECTION 16. Notwithstanding any general or special law to the contrary, in preparing and submitting any report to the federal government with regard to maintenance of effort

expenditures under 42 U.S.C. §609(a)(7) for federal fiscal year 2010 or any succeeding fiscal year, the executive office of health and human services or any other responsible state agency or employee shall claim a sufficient amount of state and other qualified spending to satisfy the Commonwealth's maintenance of effort requirement. If, after the report is filed, the federal government disallows any of the expenditures so claimed, the responsible state agencies and employees shall, to the maximum extent feasible, file a revised report claiming other state expenditures toward the maintenance of effort obligation. If, due to disallowances by the federal government, the responsible state agencies and employees conclude that there is not sufficient state and other qualified spending available to satisfy the Commonwealth's maintenance of effort requirement, the department of transitional assistance shall submit to the chairs of the house and senate committees on ways and means and the chairs of the joint committee on children, families and persons with disabilities a report, including all relevant communications between the Commonwealth and the federal government with respect to maintenance of effort spending, and a detailed analysis of whether and how extending the work requirement under section 2H of chapter 118 of the General Laws to:

(i) recipients who must care for a disabled family member as provided in paragraph (2) of subsection (a) of section 2F of said chapter 118 but whose caretaking responsibilities do not substantially reduce or eliminate their ability to meet the requirements of the work program established in said section 2H of said chapter 118 or to engage in work activities that meet the requirements of federal law for the number of hours required by federal law;

(ii) to recipients who are in their last trimester of pregnancy as provided in paragraph (3) of subsection (a) of said section 2F of said chapter 118 and whose participation in work

activities would not threaten the health or safety of the parent or the unborn child and would enable the Commonwealth to satisfy its maintenance of effort obligation and applicable work participation rates. If, within 60 days after receipt of the report the general court has not directed the department to take an alternative approach to addressing the risk of not meeting federal requirements and has not repealed this section, the department may, notwithstanding the said section 2F of said chapter 118, extend the work requirement to certain categories of recipients if doing so would enable the Commonwealth to meet federal maintenance of effort and work participation requirements, but the work requirement shall be extended only to the categories of recipients in paragraphs (2) and (3) of said subsection (a) of said section 2F of said chapter 118.

SECTION 17. The department of transitional assistance shall report annually, with the first report filed not later than November 1, 2010, to the house and senate committees on ways and means and the joint committee on children, families and persons with disabilities the number of recipients, in each department of transitional assistance region, who are not able to fulfill requirements of their work requirement, employment development plan or family well-being plan because of lack of transportation. The report shall cover not only recipients who have been granted good cause by the department of transitional assistance due to lack of transportation, but also responses to surveys concerning transportation needs that the department of transitional assistance shall regularly make available at each local department office and administer with recipients at each eligibility review or transition review. The executive office of transportation and public works, in consultation with the department of transitional assistance, shall develop a plan to address the transportation needs of recipients who are identified by these means or others

853 as having transportation barriers and shall include an analysis of the cost of providing
854 transportation to allow recipients to fulfill the requirements of the employment-development and
855 family well-being plans. The executive office of transportation and public works shall submit a
856 report on the plan to the joint committee on children, families and persons with disabilities and
857 the house and senate committees on ways and means not later than June 1, 2011.

858 SECTION 18. The first annual report required to be filed by the department of
859 transitional assistance pursuant to subsection (h) of section 2H of chapter 118 of the General
860 Laws shall be filed with the joint committee on children, families and persons with disabilities
861 not later than April 15, 2010.

862 SECTION 19. Subsection (g) of section 3 of chapter 118 of the General Laws, inserted
863 by section 5, shall take effect on January 15, 2011.

864 SECTION 20. Section 3F of said chapter 118 of the General Laws, inserted by section 6,
865 shall take effect on October 1, 2009.